

START HEAL

Hanford Education
Action League

Comments of the Hanford Education Action League on the Draft Permit for the
Treatment, Storage, and Disposal of Dangerous Wastes at Hanford
by

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The sitewide permit appears to be a step toward the regulatory authority which the state needs to adequately oversee activities at Hanford. Oversight is crucial in ensuring that environmental restoration waste minimization, and waste management activities are taking place as prescribed by the TPA, environmental statutes, and, in the future, the permit. While HEAL has some concerns about the permit, we applaud the state in its pursuit of a true regulatory stronghold at Hanford.

Enforcement of the permit is going to take an immense amount of time, resources, and vigilance. Tracking permit compliance is a job the state regulators must not underestimate. Reviewing permit applications and writing permits for the specific treatment, storage, and disposal sites is going to take an enormous effort in and of itself. This does not even speak to the effort involved in enforcing the permits. Is the state ready for the task the permit presents? Is the staff adequate, both in terms of the number of employees and the expertise of those employees? What measures are being taken to insure that the state will have the ability to identify and enforce any noncompliance with the permit?

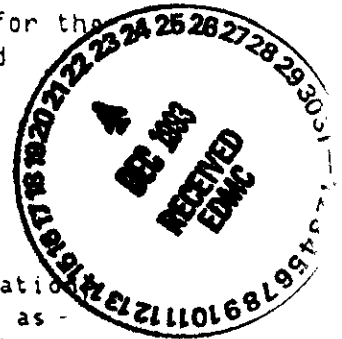
Enforcement activity up to this point has been all but nonexistent. The recent violations in the tank farms which were uncovered by Westinghouse audits are a good example. While Westinghouse initially expected an enforcement action from the state, it appears that enforcement will not take place. If the state is not able or willing to follow through on the provisions of the permit the public's confidence and support will be lost. It is the state's responsibility to ensure that the regulatory structure to enforce this permit is in place. The citizens of the northwest deserve nothing less.

We remain discouraged and concerned about the information repository system. In Spokane (Crosby library) many of the documents arrive late, putting strain on already brief comment periods. Another issue is the location within the library of the documents. Most of the library's staff do not know where they are (or even of their existence). To compound this, the documents are placed in a corner of an alcove off of the reference room, not labeled. These are just a few of the problems with the repositories. These concerns are not new.

For the general public, the situation is tantamount to not even having the documents in the library. The parties must pursue solutions to the repository problems in order for the public to comment adequately and, as a result, for the cleanup to move forward in an efficient, sound manner.

The permit is full of references to state and federal laws and regulations. This is necessary if true oversight and accountability are ever to be realities at Hanford. In seeking public comment the state must answer the question, "Is the public equipped to comment effectively on this permit?" This question leads to another question, "What lengths does the state need to go to in terms of equipping the public for comment?" The

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it can get itself up to speed and offer timely, informed comments on almost any issue, regardless of technical content.

What must be provided by government and regulators are the avenues, or means, with which the public can inform itself. In this case, the means would be information containing a brief description of each of the references in the permit. Along with the description would be information on where the public could obtain access, for review purposes, to the referenced laws and regulations.

It may be that the references in the general permit are the same ones which will be referenced in the specific permits over the next three to five years. If this is the case, a round of workshops briefing the public on each reference should be conducted.

As it stands now, the public's hands are tied. Even if folks can deal with the volume and technical data found in the permit, they are confronted with procedures and provisions which do not have descriptions or names, only numbers. Members of the public cannot be expected to give comments on a number that represents they know not what. If they know where to find information regarding that number, the government, the public, the process, and the end product are all served.

The volume and technical data presented in the permit lead also to concerns as to the length of the comment period. Because of the extensiveness of this permit, HEAL requests that the comment period for this as well as the subsequent, related treatment, storage, and disposal unit permits, be extended to a minimum of sixty days.

The relationship of the permit to the TPA is a concern. The TPA is a document that is accessible to the public. By accessible we mean a document that the public feels comfortable with, in terms of understanding and comprehension. The permit, on the other hand, is not a particularly accessible document. The volume of the permit and its technical information make it a difficult document to get an understanding of.

A hefty, technical document the public is not that familiar with takes precedence over a document that, by and large, the public understands and has confidence in. Concern on the part of the public is understandable. To deal with these concerns the state should convey to the public specifically how the two documents relate and how the provisions of the TPA will be carried out under the permit.

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11.D., p. 28: It is not clear exactly what will be contained in the Facility Wide Waste Analysis Plan. Will this have any effect on any part of the TPA? If so, what will that effect be?

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How will any land use plan or land use planning process be integrated into the activities pertaining to the permit?

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11.J.1.h., p. 41: What constitutes a "independent registered professional engineer"?

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11.L.2., p. 41: Who determines what "adequate laboratory and process controls including appropriate quality assurance procedures" are?

DOE is having difficulties complying with the laws and regulations that are currently imposed on their laboratories. Because of these difficulties many of DOE/WHC's sampling and analysis efforts, and our tax dollars, go to waste. DOE has a problem and has not shown the willingness to try and solve it. It has purposely violated the Tri-Party Agreement in refusing, at least to this point, to build a new lab facility as prescribed in the Tri-Party Agreement. Without adequate lab capabilities cleanup come to a halt. Will this permit, and the state regulators, prevent that from happening?

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11.U., p. 47: What level of quality assurance will be expected in these maps? Who determines that quality assurance and how will it be enforced? Why won't the maps contain any information as to the suspected condition of the pipes?

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11.W.1., p. 48: What is the definition of "information necessary"? Consider the following scenario: DOE has to obtain a permit for an activity for which the "information necessary" includes the waste characterization of a tank. DOE is putting forth its "best effort" to characterize the tank, but due to lack of funding and poor lab capabilities, the tank will not be characterized for several years. In this case, would DOE be able to avoid applying for the permit?

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Attachment 9, p. 2C-3, line 34: What is the definition of "risk"?

Attachment 9, p. 2C-4, line 13: What is the definition of "periodic assessments"?

Attachment 9, p. 2C-5, section 2C5.3.1.1: This section states that if contractors don't develop and implement QA programs during design and construction they can demonstrate that the unit complies before use. Demonstrating that a unit complies after it has been built is backward. What is the course of action if a unit is built and is then determined to be in noncompliance?

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existing and future DST System waste. What "future" wastes are included here?

Several treatment systems for liquid wastes produced during the vitrification process are written about but the final disposal solution is not revealed. The title of one of the systems, Nonradioactive Liquid Waste Collection, Treatment, and Disposal System, implies that the waste is disposed of through this system, but it is not addressed in the text. Other liquid treatment systems are included in this section but where the waste will ultimately end up is not divulged. It is important to know how much of a mess is going to be created by trying to clean up the existing mess.

The "reference feed" dealt with in analyzing the effects of the waste is the Neutralized Current Acid Waste. Analysis of this kind of waste first is logical since it is planned to be the first to be vitrified. However, the NCAW is less complex and very different than the other wastes to be vitrified. The prevailing belief is that the NCAW will be less troublesome than the other waste streams, this should be made clear.

Why is there no mention of either pretreatment systems or tank retrieval systems in the HWVP Permit modification compliance schedule (Table 1)? The vitrification plant depends on these questionable technologies, they cannot logically be separated.

In closing, I would like to reiterate HEAL's support for the permitting of the Hanford site. DOE has been allowed to disobey environmental laws and shun oversight for much too long. Recent actions have shown that DOE is not fully committed to the TPA. Further authority to regulate cleanup is necessary; this permit is a step in that direction. With diligence the state can now put itself in a position to further ensure, for the citizens of the northwest, the cleanup of the Hanford site.

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